



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

**JUL 23 2013**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**Article Number: 7011 0470 0002 3745 4522**

Mr. Raymond Morningstar  
Assistant Superintendent for Business  
Lakeland Central School District  
1086 East Main Street  
Shrub Oak, New York 10588

**Re: Benjamin Franklin Elementary School, Yorktown Heights, New York  
Approval for Cleanup and Disposal of PCB Remediation Waste under 40 CFR  
§761.61(a), for Characterization and Verification Sampling under 40 CFR  
§761.61(c), and for Alternate Decontamination and Sampling under 40 CFR  
§761.79(h)**

Dear Mr. Morningstar:

This is in response to the June 21, 2013 Notice of Self-Implementing Onsite Cleanup and Disposal of PCB Remediation Waste (Notice), submitted by the Lakeland Central School District (Lakeland). The Notice concerns Lakeland's plan to address polychlorinated biphenyl (PCB) contamination in the soil at the Benjamin Franklin Elementary School, located at 3477 Kamhi Drive in Yorktown Heights, New York. The Notice was amended through submittal of additional information in electronic correspondence from Lakeland's consultant, Eisenbach and Ruhnke Engineering, P.C., dated July 22, 2013. These documents will be referred to as the "Application". The PCB contaminated soil is considered to be PCB remediation waste that exceeds the cleanup levels under the federal PCB regulations at 40 CFR §761.61(a)(4).

With the exception of the characterization and verification sampling requirements under Subparts N and O of 40 CFR Part 761, the proposed removal of the PCB remediation waste meets the self-implementing cleanup and disposal requirements under 40 CFR §761.61(a). The United States Environmental Protection Agency (EPA) finds that the characterization sampling, in this remediation context, is acceptable for delineating areas of the PCB remediation waste to be addressed. The EPA also finds that Lakeland's plan for verification sampling is acceptable for purposes of determining compliance with the PCB cleanup standards for high occupancy areas of 1 part per million (unrestricted) and 10 parts per million (with implementation of a cap and deed restriction meeting the requirements of 40 CFR §761.61(a)(7) and (a)(8), respectively).

The Application also describes a request for approval, under 40 CFR §761.79(h), of a decontamination standard of 10 micrograms per 100 square centimeters (i.e., the unrestricted use standard for non-porous surfaces previously in contact with liquid PCBs) for decontaminating equipment. The decontamination procedure will consist of a wash using a solution of the commercial product known as CAPSUR, and then a rinse using hot water that is under high-pressure. Wipe samples will be collected to verify that the aforementioned decontamination standard has been attained.

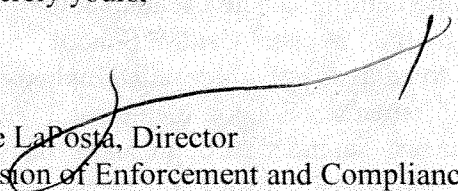
Based on the information provided in the Application, the EPA finds that the proposed decontamination procedure and standard are acceptable for performing the decontamination activities as described above.

EPA hereby approves Lakeland's Application, and it may proceed with the cleanup and disposal under 40 CFR §§761.61(a) and (c), as well as decontamination under 40 CFR §761.79(h), subject to this Approval. This Approval also constitutes an order under the authority of Section 6 of the Toxic Substances Control Act, 15 U.S.C. §2605.

Please note that this Approval does not constitute a determination by EPA that the transporters or the disposal facilities selected by Lakeland are authorized to conduct the activities set forth in the Application. Lakeland is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct any such activities in accordance with all applicable federal, state and local statutes and regulations.

Should you have any questions concerning this matter, please contact James S. Haklar at (732) 906-6817 or at [haklar.james@epa.gov](mailto:haklar.james@epa.gov).

Sincerely yours,



Dore LaPosta, Director  
Division of Enforcement and Compliance Assistance